

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

RICHARD J. TESTA, JR., individually, and on
behalf of all others similarly situated,

Plaintiff,

-against-

MERRILL LYNCH, PIERCE, FENNER &
SMITH, INC., JOHN DOES 1-50 (said names
being fictitious individuals), and ABC
CORPORATIONS 1-50 (said names being
fictitious companies, partnerships, joint ventures
and/or corporations),

Defendants.

**USDC SDNY
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DATE FILED: 1/10/08**

Civil Action No. 07 CV 8320 (AKH)

**ORDER FOR ADMISSION
PRO HAC VICE ON WRITTEN
MOTION**

A motion having been made by A. Michael Weber, counsel for Defendant Merrill Lynch, Pierce, Fenner & Smith, Inc. ("Merrill Lynch") for an Order pursuant to Rule 1.3(c) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York admitting Malcolm A. Heinicke pro hac vice to appear and practice in this Court in this action; and this Court, having reviewed the annexed Affidavit of A. Michael Weber,

IT IS HEREBY ORDERED that

Applicant's Name: Malcolm A. Heinicke
Firm Name: Munger, Tolles & Olson LLP
Address: 560 Mission Street, 27th Floor
City/State/Zip: San Francisco, CA 94105-2907
Phone Number: (415) 512-4000
Fax Number: (415) 512-4000


is admitted to practice pro hac vice as counsel for Defendant Merrill Lynch in the above captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. If this action is assigned to the Electronic Case Filing

(ECF) system, counsel shall immediately apply for an ECF password at nysd.uscourts.gov.

Counsel shall forward the pro hac vice fee to the Clerk of Court.

Dated: Jan 19, 2008
New York, New York

SO ORDERED:



United States District/Magistrate Judge